

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

DERRICK THOMPSON,

Plaintiff,

- v -

**Civ. No. 9:08-CV-487
(TJM/RFT)**

**MR. CARLSEN, Superintendent of Ulster
Correctional Facility; WHITE, Ms., Administrative Nurse;
FRANZA, Nurse, Ulster Correctional Facility;
CRAWLEY, Nurse, Ulster Correctional Facility,**

Defendants.

**THOMAS J. McAVOY,
Senior United States District Judge**

DECISION & ORDER

I. INTRODUCTION

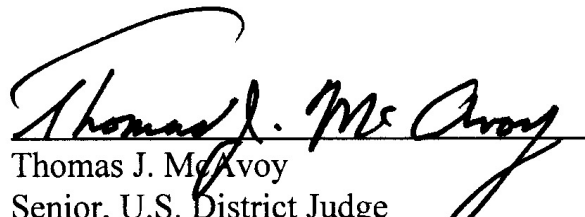
This *pro se* action brought pursuant to 42 U.S.C. § 1983 was referred to the Hon. Randolph F. Treece, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c). No objections to the Report-Recommendation and Order dated February 16, 2010 have been filed, and the time to do so has expired. Furthermore, after examining the record, this Court has determined that the Report-Recommendation and Order is not subject to attack for plain error or manifest injustice. Accordingly, the Court adopts the Report-Recommendation and Order for the reasons stated therein.

It is therefore,

ORDERED that Defendants' Motion for Summary Judgment (Dkt. No. 24) is **GRANTED** and the Complaint (Dkt. No. 1) is **DISMISSED** in its entirety. The Clerk of the Court is instructed to enter judgment in favor of Defendants and to close the file in this matter.

IT IS SO ORDERED

DATED: March 10, 2010


Thomas J. McAvoy
Senior, U.S. District Judge